

[ORAL ARGUMENT NOT SCHEDULED]

IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

MATTHEW D. GREEN, et al.,

Plaintiffs-Appellants,

v.

No. 23-5159

U.S. DEPARTMENT OF JUSTICE, et al.,

Defendants-Appellees.

CERTIFICATE AS TO PARTIES, RULINGS, AND RELATED CASES

Pursuant to D.C. Circuit Rule 28(a)(1), the undersigned counsel
certifies as follows:

A. Parties and Amici

Plaintiffs-appellants are Matthew D. Green; Andrew Bunnie Huang;
and Alphamax, LLC.

Defendants-appellees are the U.S. Department of Justice; the Library
of Congress; the U.S. Copyright Office; Carla Hayden in her official capacity
as the Librarian of Congress; Shira Perlmutter in her official capacity as
Register of Copyrights and Director of the Copyright Office; and Merrick B.
Garland in his official capacity as Attorney General of the United States.

Amici who appeared in district court are Digital Content Protection, LLC; Intel Corporation; Advanced Access Content System Licensing Administrator, LLC; DVD Copy Control Association; the Association of American Publishers, Inc.; the Entertainment Software Association; the Motion Picture Association, Inc.; and the Recording Industry Association of America, Inc.

B. Rulings Under Review

The rulings under review were entered in *Green v. U.S. Department of Justice*, No. 16-cv-01492 (D.D.C.), by the Honorable Emmet G. Sullivan. They are the June 27, 2019 order and opinion granting the motion to dismiss in part (Dkt. Nos. 24, 25) and the May 9, 2023 minute order granting the motion for entry of final judgment. The district court's opinion granting the motion to dismiss in part is available at *Green v. U.S. Department of Justice*, 392 F. Supp. 3d 68 (D.D.C. 2019).

C. Related Cases

This case was previously before this Court on appeal from the district court's denial of plaintiffs' motion for a preliminary injunction. *See Green v. U.S. Dep't of Justice*, No. 21-5195 (D.C. Cir.). This Court affirmed the denial of plaintiffs' motion for a preliminary injunction and remanded for further

proceedings. *See Green v. U.S. Dep't of Justice*, 54 F.4th 738 (D.C. Cir.

2022). Counsel is not aware of other pending related cases.

Respectfully submitted,

DANIEL TENNY

/s/ Brian J. Springer

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AUGUST 2023

CERTIFICATE OF SERVICE

I hereby certify that on August 14, 2023, I filed and served the foregoing with the Clerk of the Court by using the appellate CM/ECF system. I also hereby certify that the participants in the case are registered CM/ECF users and will be served via the CM/ECF system.

/s/ Brian J. Springer

Brian J. Springer